

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

 ORIGINAL

-----X
UNITED STATES OF AMERICA

v.

**Affirmation in Support of
Application for Order of Continuance**

JOAO CORCINO,

19 Mag. 9405

Defendant.

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State of New York)
County of New York : ss.:
Southern District of New York)

Daniel G. Nessim, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Geoffrey Berman, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. §3161(h)(7)(A).

2. The defendant was arrested on or about October 7, 2019, and he was charged in a complaint dated October 8, 2019, with violations of Title 21, United States Code, Section 846, the defendant was presented in this district before Magistrate Judge Ona T. Wang. The defendant was represented by Patrick Joyce, Esq., and bail conditions were set.


3. Under the Speedy Trial Act the Government initially had until November 7, 2019, within which to file an indictment or information. On November 7, 2019, the Honorable Gabriel W. Gorenstein, Chief United States Magistrate Judge for the Southern District of New York extended the time in which the Government was required to file an indictment or information to December 7, 2019.

4. Defense counsel and I have had discussions regarding a possible disposition of this case, as recently as December 6, 2019. The negotiations have not been completed and we plan to continue our discussions, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on December 7, 2019.

5. Therefore, the Government is requesting a 6-day continuance until December 13, 2019, to continue the foregoing discussions and reach a disposition of this matter. On December 6, 2019, I personally spoke to and assistant to defense counsel who relayed that defense counsel specifically consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
December 6, 2019



Daniel G. Nessim
Assistant United States Attorney
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